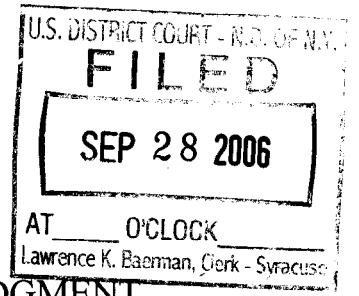


UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK



Frank L. Shernoff,

Plaintiff,

-v-

Bruce Soden, Greene, Hershderfer & Sharpe,
and Sutton Investing Corp.,

Defendants.

CIVIL JUDGMENT

5:05-CV-1276

DECISION BY COURT. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

that plaintiff's motion for summary judgment is denied; that defendants' cross motion for summary judgment is granted; and the action is dismissed in its entirety with prejudice

September 28, 2006
Date

LAWRENCE K. BAERMAN
Clerk



Judi L. Roberts.
Deputy Clerk